

REMARKS

Claims 16-28 in the Preliminary Amendment filed on November 4, 2005 and claims 16-30 in the Second Preliminary Amendment filed on November 30, 2006 have been renumbered as claims 18-32 in the Third Preliminary Amendment filed herewith to overcome the objections identified by the Examiner in the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed January 28, 2009.

Examiner's objection to claims 23-27 (now renumbered as claims 25-29) under 37 C.F.R. §1.75(c) is not understood and clarification of the objection is respectfully requested. In particular, Examiner will note that none of the claims presented in multiple dependent form depends from another claim in such multiple dependent form. Consequently, claims 23-27 (renumbered herein as claims 25-29) are submitted to comply with the provision of 37 C.F.R. §1.75(c) and the objection should be withdrawn.

Lastly, in response to the Restriction Requirement mailed on September 12, 2008, and in consideration of the renumbering of the claims in this Third Preliminary Amendment, Applicants hereby provisionally elect Group I, claims 18-29, 31 and 32, without traverse, for prosecution in this application and without prejudice to filing a separate divisional application directed to the non-elected claims.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Application No. 10/555,713

Third Preliminary Amendment Dated 3/2/2009

Reply to Notice of Non-Compliant Amendment dated 1/28/09

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
\_\_\_\_\_  
David H. Brinkman, Reg. No. 40,532

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
(513) 241-2324 - Voice  
(513) 421-7269 - Facsimile